

THURSDAY, APRIL 5, 2018

SIXTY-EIGHTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor John Spurgeon, New Vision Baptist, Murfreesboro, TN.

Representative Sparks led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 88

Representatives present were Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Williams

Representative Miller; personal

Representative Towns; personal

Representative Stewart

Representative Akbari; personal

PRESENT IN CHAMBER

Reps. Faison, Parkinson and Sparks were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 1069 Reps. M. Hill and K. Brooks as prime sponsors.

House Bill No. 1543 Rep. Daniel as prime sponsor.

House Bill No. 1728 Reps. Moody, Terry and Daniel as prime sponsors.

House Bill No. 2039 Rep. M. White as prime sponsor .

House Bill No. 2068 Reps. Camper, M. White, Hazlewooda and Parkinson as prime sponsors.

House Bill No. 2120 Reps. Favors, Camper, Powell and Clemmons as prime sponsors.

House Bill No. 2230 Reps. Moody and Camper as prime sponsors.

House Bill No. 2248 Reps. Reedy, Vaughan, Thompson, Rogers, Clemmons, Carter, Tillis, Eldridge, Favors, Sherrell, Calfee, Sanderson, Weaver, T. Hill, Fitzhugh, Camper, Terry, Love, M. White, Lollar, Daniel, Lynn, Powell, Hazlewood, K. Brooks, Littleton, Matheny, Boyd, Sparks, Cooper, Jernigan and Turner as prime sponsors.

House Bill No. 2589 Rep. Moody as prime sponsor.

MESSAGE FROM THE SENATE

April 5, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2443; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2443** -- State Employees - As introduced, requires commissioner of human resources to establish initial period of probation for employees in preferred service of the state that does not exceed six months rather than a period that is not less than one year. - Amends TCA Title 8, Chapter 30. by *Niceley, *Yager. (HB2589 by *Hill T)

MESSAGE FROM THE SENATE
April 5, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 864; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 864 -- General Assembly, Recess & Reconvene - Recesses Senate at the close of business on April 5, 2018, and reconvenes on April 11, 2018, at 8:30 a.m. by *Norris.

MESSAGE FROM THE SENATE
April 5, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 817, 818, 819, 820 and 821; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 817 -- Memorials, Sports - Shelley Sexton Collier. by *McNally.

Senate Joint Resolution No. 818 -- Memorials, Death - Reverend Michael Williams. by *Yarbro.

Senate Joint Resolution No. 819 -- Memorials, Sports - Memphis Pride Mini Storm. by *Kyle, *Harris.

Senate Joint Resolution No. 820 -- Memorials, Recognition - Greeneville Kiwanis Club, 60th Anniversary. by *Southerland.

Senate Joint Resolution No. 821 -- Memorials, Public Service - Chief Johnny Powers, South Greene Volunteer Fire Department. by *Southerland.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Carter was recognized in the Well to honor Robin Copp, 2017-2018 Tennessee Department of Education Principal of the Year

RESOLUTION READ

The Clerk read House Joint Resolution No. 642, adopted January 24, 2018.

House Joint Resolution No. 642 -- Memorials, Professional Achievement - Robin Copp, 2017-2018 Tennessee Department of Education Principal of the Year. by *Carter, *Favors, *Gravitt, *Hazlewood, *McCormick, *Akbari, *Alexander, *Beck, *Boyd, *Brooks H, *Brooks K, *Byrd, *Calfee, *Camper, *Carr, *Casada, *Clemmons, *Coley, *Cooper, *Crawford,
3849

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

*Curcio, *Daniel, *DeBerry, *Doss, *Dunn, *Eldridge, *Faison, *Fitzhugh, *Forgety, *Gant, *Gilmore, *Goins, *Halford, *Hardaway, *Harwell, *Hawk, *Hicks, *Hill M, *Hill T, *Holsclaw, *Howell, *Hulsey, *Jernigan, *Johnson, *Kane, *Keisling, *Kumar, *Lamberth, *Littleton, *Lollar, *Love, *Marsh, *Matheny, *Matlock, *McDaniel, *Miller, *Mitchell, *Moody, *Moon, *Pitts, *Powell, *Powers, *Ramsey, *Reedy, *Rogers, *Rudd, *Sanderson, *Sargent, *Sexton C, *Sexton J, *Sherrell, *Smith, *Sparks, *Staples, *Stewart, *Terry, *Thompson, *Tillis, *Towns, *Travis, *Turner, *VanHuss, *Vaughan, *Weaver, *White D, *White M, *Whitson, *Williams, *Windle, *Wirgau, *Zachary.

RECOGNITION IN THE WELL

Representative Favors, joined by the Hamilton County delegation, was recognized in the Well to honor Calvin Sneed on the occasion of his retirement.

RESOLUTION READ

The Clerk read House Joint Resolution No. 901, adopted March 12, 2018.

House Joint Resolution No. 901 -- Memorials, Retirement - Calvin Sneed. by *Favors, *Gravitt, *Carter, *Hazlewood, *McCormick.

RECOGNITION IN THE WELL

Representative C. Sexton was recognized in the Well.

Rep. C. Sexton moved to lift from the desk Senate Joint Resolution No. 785, which motion prevailed.

RULES SUSPENDED

Rep. C. Sexton moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 785 out of order, which motion prevailed.

Senate Joint Resolution No. 785 -- Memorials, Retirement - Jess O. Hale. by *Crowe, *Haile, *Hensley, *Watson, *Massey, *Swann, *Briggs, *McNally, *Jackson, *Kyle.

On motion of Rep. C. Sexton, the resolution was concurred in.

A motion to reconsider was tabled.

RESOLUTION READ

The Clerk read Senate Joint Resolution No. 785.

Senate Joint Resolution No. 785 -- Memorials, Retirement - Jess O. Hale. by *Crowe, *Haile, *Hensley, *Watson, *Massey, *Swann, *Briggs, *McNally, *Jackson, *Kyle.

RECOGNITION IN THE WELL

Representative Casada was recognized in the Well to honor Representative Judd Matheny.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 954 out of order, which motion prevailed.

House Joint Resolution No. 954 -- Memorials, Public Service - Representative Judd Matheny. by *Williams, *Casada.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Casada, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTION READ

The Clerk read House Joint Resolution No. 954.

House Joint Resolution No. 954 -- Memorials, Public Service - Representative Judd Matheny. by *Williams, *Casada.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 9, 2018:

House Resolution No. 287 -- Memorials, Academic Achievement - Gabriel Gnanettam Christian, Salutatorian, First Assembly Christian School. by *Thompson.

House Resolution No. 288 -- Memorials, Academic Achievement - Mary Marguerite Coleman, Valedictorian, First Assembly Christian School. by *Thompson.

House Resolution No. 289 -- Memorials, Academic Achievement - Isabell Verret, Valedictorian, St. Benedict at Auburndale High School. by *Thompson.

House Resolution No. 290 -- Memorials, Academic Achievement - Catherine Crowe, Salutatorian, St. Benedict at Auburndale High School. by *Thompson.

House Joint Resolution No. 1071 -- Memorials, Recognition - Wilson County Fair, 2017 Triple A division champion. by *Lynn.

House Joint Resolution No. 1072 -- Memorials, Interns - Israel Muñoz Salvador. by *Harwell.

House Joint Resolution No. 1073 -- Memorials, Retirement - Ted Hackney. by *Matheny.

House Joint Resolution No. 1074 -- Memorials, Recognition - Rockland Missionary Baptist Church, 150th anniversary. by *Lamberth.

House Joint Resolution No. 1075 -- Memorials, Interns - Kylene Renea Johnson. by *Staples.

House Joint Resolution No. 1076 -- Memorials, Academic Achievement - Brandon D. Lee, Salutatorian, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 1077 -- Memorials, Academic Achievement - Ronni Lasha' Williams, Valedictorian, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 1078 -- Memorials, Academic Achievement - Pilar Jacqueline Garcia, Salutatorian, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 1079 -- Memorials, Academic Achievement - Brianna Harris, Third Honor Graduate, Raleigh-Egypt High School. by *Parkinson.

House Joint Resolution No. 1080 -- Memorials, Sports - Summertown High School Lady Eagles, 2018 TSSAA Class A State Runner-Up. by *Byrd.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 9, 2018:

Senate Joint Resolution No. 817 -- Memorials, Sports - Shelley Sexton Collier. by *McNally.

Senate Joint Resolution No. 818 -- Memorials, Death - Reverend Michael Williams. by *Yarbro.

Senate Joint Resolution No. 819 -- Memorials, Sports - Memphis Pride Mini Storm. by *Kyle, *Harris.

Senate Joint Resolution No. 820 -- Memorials, Recognition - Greeneville Kiwanis Club, 60th Anniversary. by *Southerland.

Senate Joint Resolution No. 821 -- Memorials, Public Service - Chief Johnny Powers, South Greene Volunteer Fire Department. by *Southerland.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2723 -- Ashland City - Subject to local approval, authorizes property owners that do not live in the city to vote in city elections; removes disability for six months as a reason for the vacancy of the office of mayor or councilman; permanently prohibits persons convicted of certain crimes from holding office; creates process for electing a council member if the council is unable to appoint one in the event of a vacancy; authorizes the city to donate or contribute funds in accordance with state law; renames the city clerk and recorder the city recorder; changes provisions related to purchasing and the sale of city property; makes other revisions to the charter. - Amends Chapter 121 of the Private Acts of 2004; as amended. by *Littleton.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 367** -- Insurance, Health, Accident - As introduced, requires health insurance coverage to cover hypofractionated proton therapy in the same manner as it covers intensity modulated radiation therapy under certain conditions. - Amends TCA Title 8; Title 56 and Title 71. by *Green, *Massey, *Swann, *Bowling, *Crowe, *Ketron. (HB523 by *Ramsey, *Pody, *Calfee, *Daniel, *Casada, *Lynn, *Eldridge, *Sparks, *Mitchell, *Holsclaw, *Sherrell, *Whitson, *Dunn)

***Senate Bill No. 647** -- Firearms and Ammunition - As introduced, authorizes community corrections officers who hold a valid Tennessee handgun permit to carry a handgun at all times and in all places in Tennessee while in the course of employment and engaged in the actual discharge of official duties. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17, Part 13. by *Niceley. (HB1083 by *Sexton J)

***Senate Bill No. 1572** -- Administrative Procedure (UAPA) - As introduced, clarifies definitions of "policy" and "rule" for rulemaking purposes; requires an agency to submit proposed policies to the attorney general for review; prohibits an agency from promulgating rules or implementing policies that infringe on an agency member's freedom of speech; and prescribes that only appointing authorities shall have the power to remove a member from a multi-member governmental entity. - Amends TCA Title 4, Chapter 5. by *Bell, *Stevens, *Kelsey. (HB1895 by *Matlock, *Faison)

Senate Bill No. 1879 -- Planning, Public - As introduced, prevents new or amended subdivision regulations proposed by a regional planning commission from taking effect until approved by the county legislative body of any county, and by the governing body of any municipality, lying wholly or partly within the region; removes requirement that a regional planning commission hold a public hearing on subdivision regulations prior to adoption. - Amends TCA Title 13. by *Briggs, *Massey. (*HB1920 by *Staples, *Smith, *Kane, *Zachary, *Brooks H, *Dunn)

THURSDAY, APRIL 5, 2018 -- SIXTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 2049** -- Public Records - As introduced, makes confidential the records of any food-based business incubation service provider created by a municipality. - Amends TCA Section 10-7-504. by *Crowe. (HB2213 by *Holsclaw)

Senate Bill No. 2067 -- Codes - As introduced, increases from 10 to 15 working days following the expiration of a building permit the amount of time that a municipal office has to return the copy of the certificate of insurance or the workers' compensation policy that was filed by the person who obtained the permit. - Amends TCA Title 7 and Title 13. by *Kelsey. (*HB2098 by *Casada, *Wirgau)

Senate Bill No. 2196 -- Local Education Agencies - As introduced, requires LEAs to employ one licensed social worker in each school that conducts classes in any grade from kindergarten through grade 12. - Amends TCA Title 37; Title 49; Title 63 and Title 68, Chapter 1. by *Swann, *Crowe, *Yarbro. (*HB2272 by *Pitts, *Love)

***Senate Bill No. 2420** -- Municipal Government - As introduced, authorizes the City of Hendersonville to add the storm water user's fee to the real property tax notice. - Amends TCA Section 67-5-103. by *Haile. (HB2635 by *Lamberth)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 2721 -- Silerton -- House Local Government Committee

House Bill No. 2722 -- Hornsby -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 5, 2018**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 9, 2018**: House Bills Nos. 2358, 2363, 2666, 2682, 2709, 1694, 2483, 2192, 1831, 571, 2703, 1993, 1763, 2643, 2024, and 1832.

The committee also set the following bills on the **Regular Calendar** for **April 11, 2018**: House Bills Nos. 1687, 1083, 2377, 1812, 2130, 2710, 2272, 2313, 2440, 2001, 2590, 2338, 1600, 2324, 2555, and 2454.

The committee also set the following bills on the **Regular Calendar** for **April 12, 2018**: House Bills Nos. 2118, 1038, 1526, 1697, 1788, 2536, 958, 2287, 1716, 2312, 2702, 2635, 2052, and 1710.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 9, 2018**: House Bills Nos. 1778, 2699, 2336, 1934, 2049, 2705, 2707 and Senate Joint Resolution No. 506.

CONSENT CALENDAR

House Resolution No. 286 -- Memorials, Sports - White County High School archery team, 2018 State Champion. by *Sherrell.

House Joint Resolution No. 1065 -- Memorials, Interns - Bethany Bruton. by *Pitts.

House Joint Resolution No. 1066 -- Memorials, Interns - Dylan Scott. by *Kane, *Moon, *Zachary.

House Joint Resolution No. 1067 -- Memorials, Recognition - April, Month of the Military Child. by *Lynn, *Beck, *Boyd, *Brooks H, *Byrd, *Calfee, *Camper, *Carr, *Carter, *Casada, *Clemmons, *Coley, *Cooper, *Curcio, *Daniel, *DeBerry, *Doss, *Dunn, *Eldridge, *Farmer, *Fitzhugh, *Forgety, *Gant, *Gilmore, *Goins, *Halford, *Harwell, *Hawk, *Holsclaw, *Howell, *Hulsey, *Jernigan, *Johnson, *Keisling, *Kumar, *Lamberth, *Littleton, *Lollar, *Love, *Marsh, *Matheny, *Matlock, *McDaniel, *Moody, *Moon, *Parkinson, *Pitts, *Powell, *Powers, *Rogers, *Rudd, *Sexton C, *Sexton J, *Shaw, *Smith, *Sparks, *Staples, *Terry, *Thompson, *Tillis, *Travis, *Turner, *VanHuss, *Vaughan, *Weaver, *White D, *White M, *Whitson, *Windle, *Wirgau, *Zachary.

House Joint Resolution No. 1068 -- Memorials, Retirement - Rick Shepard. by *Ramsey, *Moon, *Beck, *Boyd, *Brooks H, *Byrd, *Calfee, *Camper, *Carr, *Carter, *Casada, *Clemmons, *Coley, *Cooper, *Curcio, *Daniel, *DeBerry, *Doss, *Dunn, *Eldridge, *Farmer, *Fitzhugh, *Forgety, *Gant, *Gilmore, *Goins, *Halford, *Harwell, *Hawk, *Holsclaw, *Howell, *Hulsey, *Jernigan, *Johnson, *Keisling, *Kumar, *Lamberth, *Littleton, *Lollar, *Love, *Lynn, *Marsh, *Matheny, *Matlock, *McDaniel, *Moody, *Parkinson, *Pitts, *Powell, *Powers, *Rogers, *Rudd, *Sexton C, *Sexton J, *Shaw, *Smith, *Sparks, *Staples, *Terry, *Thompson, *Tillis, *Travis, *Turner, *VanHuss, *Vaughan, *Weaver, *White D, *White M, *Whitson, *Windle, *Wirgau, *Zachary.

House Joint Resolution No. 1069 -- Memorials, Retirement - Cathy Higgins. by *Sargent.

House Joint Resolution No. 1070 -- Memorials, Recognition - Elk Valley Forestry Association. by *Tillis.

Senate Joint Resolution No. 860 -- Memorials, Recognition - Ed Snodderly. by *Crowe.

Rep. Moon moved that all members voting aye on House Joint Resolution No. 1068 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Rep. Lynn moved that all members voting aye on House Joint Resolution No. 1067 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	78
Noes.....	0

Representatives voting aye were: Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 78

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **Consent Calendar** and have this statement entered in the Journal: Reps. K. Brooks and Ramsey.

REGULAR CALENDAR

***House Bill No. 2000** -- Education - As introduced, changes from "no less than three" to "up to three," the number of candidates that may be selected as finalists for chief executive officer of a public institution of higher education; specifies that school boards are not required to select candidates as finalists for the director of schools position, but, if a board chooses to do so, the board's policy must state that up to three candidates may be selected as finalists for the position. - Amends TCA Title 49, Chapter 2 and Title 49, Chapter 7. by *Brooks H. (SB2586 by *Hensley)

Rep. H. Brooks moved that House Bill No. 2000 be passed on third and final consideration.

Rep. Smith moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2000 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-7-154, is amended by adding the following as a new subsection:

(c)

(1) Notwithstanding subsections (a) and (b), a search committee may select up to three (3) candidates to be recommended to the governing board of the public institution of higher education for the following positions:

(A) A president of a locally governed state university;

(B) The president of the University of Tennessee system;

(C) A president of a community college; or

(D) A president or director of a Tennessee college of applied technology.

(2) Prior to initiating a search to fill a position listed in subdivision (c)(1), a meeting that is open to the public and subject to the requirements of title 8, chapter 44, part 1, shall be held by the governing board to establish the search process, a timeline, and a statement of qualifications for the position.

(3) No later than fifteen (15) calendar days before the final vote of the governing board to appoint or elect a person to fill a position listed in subdivision (c)(1), records relating exclusively to the candidates identified pursuant to subdivision (c)(1) shall not be treated as confidential and shall be open for public inspection, except for a record otherwise confidential under state or federal law.

(4) No later than seven (7) calendar days before a meeting at which the governing board will vote to appoint or approve the appointment of a candidate to fill a position listed in subdivision (c)(1), the governing board shall hold at least one (1) public forum with the candidate.

(5) A meeting at which the governing board will vote to appoint or approve the appointment of an individual to fill a position identified in subdivision (c)(1) shall be open to the public and subject to the requirements of title 8, chapter 44, part 1.

(6) No later than November 1, 2020, the advisory committee on open government shall submit a report to the governor, the speaker of the senate, and the speaker of the house of representatives evaluating the impact and effectiveness of this subsection (c) and identifying considerations and recommendations relative to its continuation, revision, or expiration.

(7) This subsection (c) shall be repealed on July 1, 2021.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. H. Brooks moved that **House Bill No. 2000**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 71
Noes..... 9

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Curcio, Daniel, Doss, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, Moody, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Zachary, Madame Speaker Harwell -- 71

Representatives voting no were: Camper, Clemmons, Cooper, Fitzhugh, Gilmore, Parkinson, Powell, Shaw, Turner -- 9

A motion to reconsider was tabled.

***Senate Joint Resolution No. 141** -- General Assembly, Statement of Intent or Position - Expresses support for the relocation of the James K. Polk Tomb from the State Capitol to the President James K. Polk Home and Museum State Historic Site. by *Hensley, *Ketron, *Bowling, *Roberts.

Further consideration of Senate Joint Resolution No. 141, previously considered on March 19, 2018, at which time the House adopted Amendment No. 1, it failed to receive a constitutional majority and it was re-referred to the Calendar and Rules Committee.

Rep. Curcio moved that **Senate Joint Resolution No. 141** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 2278 -- Unclaimed Property - As introduced, shifts from December 31 each year to May 1 in 2018 and to November 1 in 2019 and years thereafter the date by which the holder of abandoned property must file a report with the treasurer regarding the property. - Amends TCA Section 66-29-125. by *Brooks K. (*SB1859 by *Massey)

Rep. K. Brooks moved that **House Bill No. 2278** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 85
Noes 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 85

A motion to reconsider was tabled.

***House Bill No. 2350** -- Planning, Public - As introduced, authorizes the City of Cleveland to participate in the Tennessee local land bank program. - Amends TCA Title 13, Chapter 30. by *Brooks K, *Shaw, *Howell. (SB2347 by *Gardenhire)

On motion, House Bill No. 2350 was made to conform with **Senate Bill No. 2347**; the Senate Bill was substituted for the House Bill.

Rep. K. Brooks moved that Senate Bill No. 2347 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2347 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-30-103(4), is amended by adding the following as new subdivisions:

(F) Any municipality having a population of not less than forty-one thousand (41,000) nor more than forty-two thousand (42,000), according to the 2010 federal census or any subsequent federal census; and

(G) Any county having a population of not less than twenty-seven thousand two hundred (27,200) nor more than twenty-seven thousand three hundred (27,300), according to the 2010 federal census or any subsequent federal census;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. K. Brooks moved that **Senate Bill No. 2347**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 1540** -- Alcoholic Beverages - As introduced, permits package stores to sell alcoholic beverages and retail food stores to sell wine during hours when beer is sold. - Amends TCA Title 57, Chapter 3; Title 57, Chapter 4 and Title 57, Chapter 5. by *McCormick, *Ramsey, *Staples, *Powell, *Casada. (SB2518 by *Ketron)

Rep. McCormick moved that **House Bill No. 1540** be reset for the the Regular Calendar on April 9, 2018, which motion prevailed, which motion prevailed by the following vote:

Ayes 55
Noes..... 21
Present and not voting..... 4

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Camper, Carr, Casada, Coley, Curcio, Daniel, Faison, Farmer, Forgety, Goins, Gravitt, Halford, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Lamberth, Lollar, Lynn, Marsh, Matheny, McCormick, McDaniel, Moody, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sargent, Sexton C., Sexton J., Staples, Terry, Thompson, Tillis, Travis, Vaughan, Weaver, White D., Whitson, Madame Speaker Harwell -- 55

Representatives voting no were: Alexander, Butt, Byrd, Calfee, Clemmons, Cooper, Doss, Eldridge, Favors, Fitzhugh, Holt, Littleton, Matlock, Rudd, Shaw, Sherrell, Sparks, Turner, Van Huss, Wirgau, Zachary -- 21

Representatives present and not voting were: Powers, Smith, White M., Windle -- 4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to defer **House Bill No. 1540** to Monday's Regular Calendar and have this statement entered in the Journal: Rep. J. Sexton.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2230** -- Education, Higher - As introduced, enacts the "Transparency in Higher Education Act;" requires each state institution of higher education to make available on its website a list containing the title, author, and publisher of all reading, video, and audio materials required for each course offered as part of an associate or baccalaureate degree program and the details of any assignment required for students enrolled in each course; requires that the list be made available before the start of each semester and updated as necessary. - Amends TCA Title 49. by *Hulsey, *Coley, *Howell, *Forgety, *Byrd, *Sexton J, *Hicks, *Ragan, *Goins, *Jernigan, *VanHuss, *Dunn, *Hill M, *Crawford, *Lollar, *Hill T, *Holt, *White M, *Butt. (SB2180 by *Niceley)

Rep. Hulsey moved that House Bill No. 2230 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2230 by deleting all language following the enacting clause and substituting instead:

SECTION 1. This act shall be known and may be cited as the "Transparency in Higher Education Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 11, is amended by adding the following as a new section:

Each state institution of higher education shall notify parents of enrolled students of the parents' rights to view student records under the federal Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. § 1232g) on the institution's website.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. Hulsey moved that **House Bill No. 2230**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

A motion to reconsider was tabled.

***House Bill No. 2156** -- Highways, Roads and Bridges - As introduced, changes from 1,000 feet to 300 meters the distance on either side of designated Tennessee scenic highways for which the power of eminent domain may be utilized to remove existing advertising structures or junkyards. - Amends TCA Title 54, Chapter 17, Part 1. by *Staples, *Brooks H. (SB2089 by *Massey)

Rep. Staples moved that **House Bill No. 2156** be reset for the the Regular Calendar on April 12, 2018, which motion prevailed.

***House Bill No. 2681** -- Historical Sites and Preservation - As introduced, requires the Sam Davis Memorial Association to evaluate the maintenance and upkeep needs of the Sam Davis home and to report back to the chairs of the finance, ways and means committees of the house of representatives and the senate no later than January 15, 2019. - Amends TCA Title 4. by *Sparks. (SB2722 by *Ketron)

Rep. Sparks moved that House Bill No. 2681 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2681 by deleting all language after the caption and substituting instead the following:

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

WHEREAS, the property described below is part of the property conveyed in trust by the State of Tennessee to the Sam Davis Memorial Association by Section 1 of Chapter 92 of the Public Acts of 1931, codified as Tennessee Code Annotated, § 4-13-301; and

WHEREAS, Section 4 of Chapter 92 of the Public Acts of 1931, codified as Tennessee Code Annotated, § 4-13-307, provides that the State may revoke such trust at will; and

WHEREAS, the Sam Davis Memorial Association has requested permission to sell a portion of the property to finance repairs and upkeep of the property; and

WHEREAS, it has been determined that the purpose of the trust created by Tennessee Code Annotated, § 4-13-301 can be fulfilled after the separation from the trust of the below described property; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Pursuant to Tennessee Code Annotated, § 4-13-307, the trust created by Tennessee Code Annotated, § 4-13-301 is hereby revoked in part, such partial revocation to apply to the following property:

A parcel of land in the Town of Smyrna, Rutherford County, Tennessee, bounded on the north and west by the remaining land of the Sam Davis Memorial Association (map 27, parcel 6.00), on the east by the west right-of-way for Nissan Drive and on the south by the north right-of-way for Sam Davis Road, being described as follows:

Beginning at a point at the intersection of the north right-of-way for Sam Davis Drive and the west right-of-way for Nissan Drive; thence with the north right-of-way for Sam Davis Drive, westerly, 52 feet more or less; thence with a new line severing the lands of the Sam Davis Memorial Association, being parallel with the west right-of-way for Nissan Drive, northerly 678 feet more or less; thence easterly, 275 feet more or less to a point in the west right-of-way for Nissan Drive; thence with the west right-of-way of Nissan Drive, in a southerly direction, 450 feet, more or less to the beginning of a curve to the right; thence with the west right-of-way for Nissan Drive, with a curve to the right, 353 feet more or less to the point of beginning, having an area of 4 acres, more or less.

SECTION 2. Section 1 shall be effective only upon the Sam Davis Association obtaining a waiver under the Tennessee Heritage Protection Act from the Tennessee Historical Commission, pursuant to Tennessee Code Annotated, § 4-1-412. If the Sam Davis Association is granted a waiver, then the property described in Section 1 reverts to the Sam Davis Memorial Association and does not revert to this state. The Sam Davis Memorial Association may sell the property and use the proceeds to finance repairs and upkeep of the property remaining in the trust.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Sparks moved that **House Bill No. 2681**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

Representatives present and not voting were: Holsclaw -- 1

A motion to reconsider was tabled.

***House Bill No. 1731** -- Energy - As introduced, urges the department of environment and conservation, in consultation with CTAS and MTAS, to study wind energy facility regulations adopted in local governments of this state; requires the department to submit a written summary of local regulations within 60 days from the conclusion of the study to the members of the agriculture and natural resources committee of the house of representatives and the energy, agriculture and natural resources committee of the senate. - Amends TCA Title 5; Title 6; Title 7; Title 65; Title 68 and Title 70. by *Sexton C. (SB1793 by *Bailey)

Rep. C. Sexton moved that House Bill No. 1731 be passed on third and final consideration.

Rep. Halford moved adoption of Agriculture and Natural Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1731 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 65-17-103, is amended by deleting the section.

SECTION 2. Tennessee Code Annotated, Section 65-4-101(6), is amended by adding the following language as a new subdivision (C):

(C) "Public utility" includes a wind energy facility, as defined in § 65-17-101, and does not include a wind energy facility subject to § 65-17-102;

SECTION 3. Tennessee Code Annotated, Title 65, Chapter 17, Part 1, is amended by adding Sections 4 through 13 as new, appropriately designated sections.

SECTION 4.

No person shall undertake the construction, operation, or redevelopment of a wind energy facility or a wind energy facility expansion in this state unless a certificate of public convenience and necessity is first obtained from the public utility commission pursuant to chapter 4, part 2, of this title, and a permit is obtained from the local legislative body of the local government in which the facility or expansion will be located pursuant to Sections 5 through 13 of this act. The person shall submit a copy of the certificate of public convenience and necessity with its application for a permit to the local legislative body.

SECTION 5.

(a) A local government may adopt, by action of its local legislative body, local legislation that regulates and establishes the conditions and criteria for the construction,

operation, or redevelopment of wind energy facilities and for wind energy facility expansions within the jurisdiction of the local government. No such local legislation shall take effect unless it is adopted by a two-thirds (2/3) vote of the local legislative body; except, that if an industrial development board for the local government proposes such local legislation or considers a request for a permit or permit procedures prior to any local legislation being considered by the local legislative body, then the local legislation shall only be subject to a majority vote of the local legislative body. The local legislation adopted pursuant to this subsection (a) shall establish the minimum setback as provided in subdivision (e)(1)(A) for the wind energy facility or wind energy facility expansion; and shall require that environmental impact and wildlife impact assessments be conducted, if applicable, as provided in subdivisions (e)(1)(B) and (e)(1)(C), respectively, that the facility comply with maximum noise levels as provided in subdivision (e)(1)(D), that an applicant submit financial security as provided in subdivision (e)(1)(E), and that a permit holder decommission or remove a wind energy facility upon the occurrence of certain events as provided in subdivisions (e)(1)(F) and (e)(1)(G).

(b) Any local legislation adopted by a municipal legislative body pursuant to subsection (a) shall apply only in the corporate limits of the municipality. A municipal legislative body shall not be authorized to adopt such local legislation unless the county legislative body of the county in which the municipality is located has previously adopted such local legislation within the county.

(c) A local government that regulates the construction, operation, or redevelopment of wind energy facilities and wind energy facility expansions adopted by a local legislative body pursuant to subsection (a) shall furnish a certified copy of the adopted local legislation to the department.

(d)

(1) The local legislation adopted pursuant to subsection (a) may provide for the issuance of permits for the construction, operation, or redevelopment of wind energy facilities and wind energy facility expansions within the jurisdiction of the local government. The local legislation shall specify procedures governing the application for and issuance, renewal, modification, suspension, revocation, or denial of the permits.

(2) A local legislative body may deny the issuance or renewal of a permit, or revoke, suspend, or modify any existing permit for cause, including the violation of any conditions of the permit or of local legislation adopted pursuant to this chapter, obtaining the permit by misrepresentation, or failing to fully disclose all relevant facts. The local legislation or permit conditions shall include a six-month cure period during which time the local legislative body may establish financial penalties for noncompliance.

(3)

(A) The local legislative body shall review the permit application for compliance with the local legislation adopted pursuant to this chapter, and shall conduct a public hearing after public notice has been given in accordance with subdivision (d)(3)(B) prior to making a determination on the permit application. The local legislative body shall conduct the public hearing within sixty (60) days after receiving a complete permit application.

(B) Public notice of the permit application and the time and location of the public hearing shall be published for at least two (2) consecutive weeks in a newspaper of general circulation in the local government in which the construction, operation, or redevelopment of the wind energy facility or wind energy facility expansion is to be located. The notice shall be published beginning at least thirty (30) days prior to the scheduled date of the hearing.

(C) The notice shall provide that any comments on the construction, operation, or redevelopment of the wind energy facility, or wind energy facility expansion, must be submitted to the local legislative body by a specified date, not less than thirty (30) days from the date of the newspaper publication of the notice.

(4) The local legislative body may appoint itself as the agency to process permit applications or conduct the public hearing, or may create or designate another agency to take such action.

(5) The local legislative body may provide, by local legislation, that a reasonable fee be charged to cover the costs of:

(A) Processing and reviewing permit applications;

(B) Conducting public hearings; and

(C) The performance of the local legislative body's duties under this chapter.

(e)

(1) The local legislative body may adopt local legislation with any condition, criteria, or other provision it deems necessary for establishing regulations or granting a permit for the construction, operation, or redevelopment of a wind energy facility or wind energy facility expansion under this chapter. The local legislative body may issue a permit for a general boundary, and the wind energy facility may elect to move the planned locations of a wind turbine or other wind energy facility component after permit approval; provided, that the locations shall not be moved outside of the permitted boundary and shall comply with all other requirements pursuant to this chapter. The local legislative body may also institute wind energy facility design conditions for granting a permit in order to comply with any conditional approval from the wildlife resources agency and to mitigate potential impacts, as identified by the local legislative body or local agency. Any local legislation adopted pursuant to this chapter shall require that:

(A) The minimum setback for any wind turbine of a wind energy facility from any non-participating landowner's property line be equal to three and one-half (3.5) times the total height of the turbine structure as measured from the ground at its base to the maximum height of the blade tip; except, that a non-participating landowner may elect to sign a waiver to allow any wind turbine or group of turbines of a wind energy facility to be placed up to one and one-tenth (1.1) times the total height of the turbine structure as measured from the ground at its base to the maximum height of the blade tip from the landowner's property line;

(B) An environmental impact assessment be conducted by qualified, third party experts, paid for by the applicant, of the potential adverse impacts within a maximum of four (4) miles of the perimeter of the facility or expansion; except, that no such assessment shall be conducted if an environmental review of the wind energy facility or any portion of the facility is required pursuant to the National Environmental Policy Act (42 U.S.C. §§ 4321, et seq.), which includes public input, a public hearing, an environmental impact statement, and a viewshed analysis. Any environmental impact assessment conducted pursuant to this subdivision (e)(1)(B) shall include, but not be limited to, a study of the following:

(i) Economic impacts to individuals, property values, tourism, and agriculture;

(ii) Potential adverse impacts on ecosystems, including domestic animals, and habitat and migratory patterns for wildlife;

(iii) Viewshed analysis for national or state parks or forests, historic or cultural sites, public parks or recreation areas, or private conservation lands;

(iv) Hydrogeological assessment, including water bodies, flowing water sources, stormwater runoff, wetlands, groundwater, aquifers, and private wells within a minimum of two (2) miles of the perimeter of the facility or expansion;

(v) Risk assessment and mitigation recommendations for shadow flicker and incidents, such as wind turbine fires, structural damage or failure, ice and blade throw, and hazardous material spills; and

(vi) Risk assessment for civil air navigation, military or law enforcement routes or training exercises, emergency medical flights, radar operations, and cell phone services;

(C) A wildlife impact assessment be conducted through a comprehensive social, economic, and environmental study; except, that no such assessment shall be conducted if an environmental review of the wind energy facility or any portion of the facility is required pursuant to the National Environmental Policy Act (42 U.S.C. §§ 4321, et seq.), which includes public input, a public hearing, an environmental impact statement, and a viewshed analysis. Such local legislation shall also include as a condition of a permit a requirement that the wildlife resources agency review any such wildlife impact assessment and approve, grant conditional approval of, or deny the permit. Any such wildlife impact assessment shall include, but not be limited to, a study of the potential adverse impacts to wildlife refuges, preserves and management areas, areas that provide habitat for threatened or endangered species, primary nursery areas designated by the fish and wildlife commission and the wildlife resources agency, and critical fisheries habitats identified pursuant to applicable state or federal law. No permit shall become effective until the local government has received notification of approval or conditional approval within one hundred twenty (120) days of the permit from the wildlife resources agency;

(D)

(i) Except during the event of inclement weather that prevents the operator of a wind energy facility from

controlling the noise level of one (1) or more wind turbines that are part of the wind energy facility, any wind turbine or group of wind turbines of a wind energy facility does not exceed an immission limit at a non-participating landowner's dwelling of thirty-five A-weighted decibels (35 dBA) and forty-five A-weighted decibels (45 dBA) at a non-participating landowner's property line as determined by a qualified, third-party acoustics expert according to American National Standard Institute (ANSI) Standard 12.9 and other applicable ANSI standards; and

(ii) Prior to construction of a facility or expansion, a qualified, third-party acoustics expert, selected and paid for by the applicant, makes a baseline determination of preconstruction noise levels, including modeling and enforcement;

(E)

(i) Prior to the start of construction of a wind energy facility, the applicant for a permit for the construction, operation, or expansion of the wind energy facility, or wind energy facility expansion, establish financial security in the amount of one hundred percent (100%) of the estimate of the total cost to decommission and remove the wind energy facility, as determined by an independent consultant selected and paid for by the applicant; and

(ii) To establish financial security pursuant to subdivision (e)(1)(E)(i), the applicant file with the local legislative body a surety bond, collateral bond, irrevocable letter of credit, parent guaranty, cash cashier's check, certificate of deposit, bank joint custody receipt, or other approved negotiated instrument, or any combination of the foregoing, in the amount required by subdivision (e)(1)(E)(i). The local legislative body shall take custody and hold the bond or other form of financial security;

(F) The facility is decommissioned or removed if:

(i) Any wind turbine of a wind energy facility ceases to generate electricity for one hundred eighty (180) continuous days, unless the termination of electricity was mandated by state or federal law; provided, that one (1) or more extensions may be allowed for one-hundred-eighty-day periods at a time; or

(ii) Any wind turbine or group of wind turbines of a wind energy facility violates the noise level restrictions

provided in subdivision (e)(1)(D), unless the turbine or group of turbines is brought into compliance within one hundred eighty (180) days of the violation; provided, that a single one-hundred-eighty-day extension may be allowed; and

(G) Within twelve (12) months following the decommissioning of a facility or expansion, the property is restored to its original condition prior to commencement of activities on the site.

SECTION 6.

On or before January 1, 2019, and on or before January 1 of each subsequent year, any local government that has adopted local legislation pursuant to this chapter shall submit a written report on its permitting activities to the agriculture and natural resources committee of the house of representatives and the energy, agriculture and natural resources committee of the senate. The report shall include, but not be limited to, data on the number of approved and denied permits, data summarizing the findings of the environmental impact assessment and wildlife impact assessments conducted during the permit process, data on the activities of any wind energy facilities currently in operation, and data on any decommissioned facilities.

SECTION 7.

The issuance of a permit under this chapter shall not preclude the need for the applicant to obtain any and all other applicable local, state, or federal permits, licenses, or approvals. Nothing in this chapter shall limit the ability of a local government to plan for and regulate the siting or permitting of a wind energy facility or wind energy facility expansion in accordance with applicable land-use regulations authorized under titles 5 and 6 or the applicable requirements of this title.

SECTION 8.

All permit applications and other documents received by a local legislative body pursuant to this chapter, and any documents used by the local legislative body to evaluate the permit application, shall be subject to disclosure under § 10-7-503; except, that at all times under this chapter, proprietary information contained in a permit application or in other documents received by the local government pursuant to this chapter, or in any other documents used by the local government to evaluate and approve or deny the permit applications, shall remain confidential and not subject to disclosure to the public pursuant to this section, § 10-7-503, or any other law.

SECTION 9.

(a) The local legislative body may seek injunctive relief or institute other appropriate actions or proceedings in the chancery court of:

(1) The local government in which any violation of Section 4 or of the local legislation occurred; or

(2) The local government in which the person responsible for the violation resides or has the person's principal place of business to ensure compliance with this chapter.

(b) The chancery court may grant a temporary or permanent injunction restraining the violation of Section 4 or of the local legislation. The institution of an injunctive action and of the proceedings under this section is in addition to, and not in lieu of, all civil penalties and other remedies prescribed in titles 5 and 6 for permit violations and violations of local legislation.

SECTION 10.

The municipal technical advisory service (MTAS) and the county technical assistance service (CTAS) shall disseminate model local legislation for use by local governments in establishing conditions and other regulations consistent with this chapter for the issuance of permits for wind energy facilities and wind energy facility expansions.

SECTION 11.

This chapter supplements any other provision of this title or other law to provide additional authority to regulate the siting and permitting of wind energy facilities and wind energy facility expansions. Nothing in this chapter prescribes an exclusive procedure or grants exclusive powers relating to the siting or permitting of wind energy facilities and wind energy facility expansions.

SECTION 12.

This chapter shall apply in the geographical boundaries of local governments whose local legislative bodies adopt local legislation pursuant to Section 5. Once adopted, local legislation may only be revoked by the same method used to adopt it.

SECTION 13.

In the event that the requirements of this chapter conflict with applicable federal law or regulations, the federal requirements shall take precedence over the conflicting requirements of this chapter.

SECTION 14. Tennessee Code Annotated, Section 65-17-101(7)(A), is amended by inserting the following language immediately preceding the semicolon:

and has a total height in excess of two hundred feet (200')

SECTION 15. Tennessee Code Annotated, Section 65-17-101, is amended by adding the following as new, appropriately designated subdivisions:

() "Department" means the department of environment and conservation;

() "Local legislation" means any ordinance, resolution, motion, amendment, regulation, or rule adopted by a local government;

() "Local legislative body" means the governing body of a local government;

() "Non-participating landowner" means a landowner not under a lease or other property agreement with the owner or operator of a wind turbine facility;

() "Proprietary" in regard to information means commercial or financial information that is used either directly or indirectly in the business of any applicant submitting information to a local government under this chapter, and that gives the applicant an advantage or an opportunity to obtain an advantage over competitors who do not know or use the information, which information includes trade secrets;

SECTION 16. Tennessee Code Annotated, Section 65-4-201, is amended by adding the following as a new subsection:

The commission shall not issue a certificate of public convenience and necessity for a wind energy facility that includes any wind turbine with a total height in excess of three hundred fifty feet (350') as measured from the ground at its base to the maximum height of the blade tip located on a mountain ridge at an elevation above two thousand five hundred feet (2,500') mean sea level or five hundred feet (500') or more above mean sea level of the adjacent valley floor. This subsection shall not apply to single wind turbines less than one hundred feet (100') in height as measured from the ground at its base to the maximum height of the blade tip and used to generate electricity that is consumed on the same site where the wind turbine is located.

SECTION 17. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 18. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Agriculture and Natural Resources Committee Amendment No. 1 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 1731 by inserting the following new section immediately preceding the penultimate section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 65-17-102, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

This chapter shall not apply to any wind energy facility located in this state that was constructed prior to the effective date of this act.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, as follows:

Amendment No. 3

AMEND House Bill No. 1731 by inserting the following new section immediately preceding the penultimate section and renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 65-17-102, is amended by deleting "July 1, 2017" and substituting instead "January 1, 2019".

On motion, Finance, Ways & Means Committee Amendment No. 2, as House Amendment No. 3, was adopted.

Rep. Marsh moved the previous question, which motion failed by the following vote:

Ayes	42
Noes.....	43

Representatives voting aye were: Boyd, Brooks K., Calfee, Coley, Crawford, Eldridge, Farmer, Forgety, Gant, Goins, Hawk, Hazlewood, Hill T., Holsclaw, Holt, Howell, Hulsey, Kane, Kumar, Lamberth, Littleton, Lollar, Marsh, Matheny, Matlock, Moon, Powers, Ragan, Ramsey, Reedy, Rudd, Sargent, Sexton C., Shaw, Tillis, Travis, Van Huss, Vaughan, White D., Windle, Wirgau, Zachary -- 42

Representatives voting no were: Alexander, Beck, Brooks H., Butt, Byrd, Carr, Carter, Casada, Clemmons, Cooper, Curcio, Daniel, DeBerry, Doss, Dunn, Faison, Fitzhugh, Gilmore, Gravitt, Halford, Hicks, Hill M., Jernigan, Johnson, Keisling, Love, Lynn, McCormick, McDaniel, Moody, Pitts, Powell, Rogers, Sanderson, Sexton J., Smith, Sparks, Staples, Thompson, Turner, Weaver, White M., Whitson -- 43

After further discussion, Rep. Lamberth moved the previous question, which motion prevailed.

Rep. C. Sexton moved that **House Bill No. 1731**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	63
Noes.....	23
Present and not voting.....	1

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Camper, Carr, Carter, Coley, Crawford, Curcio, Doss, Dunn, Faison, Farmer, Forgety, Gant, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Marsh, Matheny, McCormick, McDaniel, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Sargent, Sexton C., Shaw, Sherrell, Smith, Staples, Thompson, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 63

Representatives voting no were: Boyd, Butt, Byrd, Calfee, Casada, Clemmons, Cooper, Daniel, Eldridge, Fitzhugh, Gilmore, Goins, Holt, Lynn, Matlock, Parkinson, Powell, Rogers, Rudd, Sanderson, Sexton J., Sparks, Turner -- 23

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Rep. Casada was recognized in the Well to honor Deputy Speaker Steve McDaniel.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 879 out of order, which motion prevailed.

House Joint Resolution No. 879 -- Memorials, Public Service - Representative Steve McDaniel. by *Williams, *Casada, *Harwell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Casada, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTION READ

The Clerk read House Joint Resolution No. 879.

House Joint Resolution No. 879 -- Memorials, Public Service - Representative Steve McDaniel. by *Williams, *Casada, *Harwell.

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Favors

REGULAR CALENDAR, CONTINUED

***House Bill No. 1728** -- Physicians and Surgeons - As introduced, clarifies that physicians can accept barter of goods or services as payment for healthcare services. - Amends TCA Title 63. by *Sexton C. (SB2363 by *Crowe)

Rep. C. Sexton moved that House Bill No. 1728 be passed on third and final consideration.

Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1728 by deleting the amendatory language of SECTION 1 and substituting instead the following:

Notwithstanding any provisions of law to the contrary, a physician may accept goods or services as payment in a direct exchange of barter for healthcare services provided by the physician if the patient to whom the healthcare services are provided is not covered by health insurance coverage, as defined by § 56-7-109. A physician who accepts barter as payment in accordance with this section shall annually submit a copy of the relevant federal tax form disclosing the physician's income from barter to the physician's licensing board.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Terry moved adoption of Health Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1728 by adding the following language at the end of the amendatory language of Section 1:

This section shall not apply to any healthcare services provided at a pain management clinic as defined in § 63-1-301.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. C. Sexton moved that **House Bill No. 1728**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 86
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 86

A motion to reconsider was tabled.

***House Bill No. 2023** -- Landlord and Tenant - As introduced, in addition to counties to which the Uniform Residential Landlord and Tenant Act already applies, makes the Act applicable in counties in which any four-year college or university, whether public or private, is located. - Amends TCA Title 66, Chapter 28. by *Farmer. (SB2658 by *Bailey)

Rep. Farmer moved that **House Bill No. 2023** be reset for the Regular Calendar next week, which motion prevailed.

***House Bill No. 1114** -- Boats, Boating - As introduced, requires motorboats that carry passengers for hire to be inspected and approved by the Tennessee wildlife resources agency (TWRA); requires operators of motorboats carrying passengers for hire to be licensed by the TWRA; provides requirements for the operation of motorboats carrying passengers for hire. - Amends TCA Title 68; Title 69 and Title 70. by *Farmer, *Carr . (SB1062 by *Southerland, *Swann)

On motion, House Bill No. 1114 was made to conform with **Senate Bill No. 1062**; the Senate Bill was substituted for the House Bill.

Rep. Farmer moved that Senate Bill No. 1062 be passed on third and final consideration.

Rep. Halford moved that Agriculture and Natural Resources Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunn moved adoption of House Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 1062 by deleting all language after the enacting clause and substituting the following:

3876

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

SECTION 1. Tennessee Code Annotated, Title 69, Chapter 9, Part 2, is amended by adding the following as a new section:

(a) Jet boats that carry passengers for hire shall:

(1) Only operate during the hours between ten o'clock a.m. (10:00 a.m.) and five o'clock p.m. (5:00 p.m.) on Monday through Friday;

(2) Only operate during the hours between ten o'clock a.m. (10:00 a.m.) and seven o'clock p.m. (7:00 p.m.) on Saturday and Sunday;

(3) Not travel at a speed greater than a no-wake speed within fifty feet (50') of any private or public dock or boat ramp;

(4) Not travel at any time at a speed greater than thirty-three nautical miles per hour (33 NMPH);

(5) Be subject to the noise level restrictions under part 3 of this chapter; and

(6) Not perform the maneuver commonly called a "donut" within one-hundred feet (100') of any private vessel or the shoreline.

(b) Beginning July 1, 2018, no person shall locate any outfitter or other business that carries passengers for hire on jet boats within five thousand feet (5,000') of another outfitter or other business that carries passengers for hire on jet boats.

(c) A person violating this section commits a Class C misdemeanor and, upon conviction of an offense, shall be fined fifty dollars (\$50.00) for each offense.

(d) This section shall only apply in a tourist resort county, as defined in § 42-1-301.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, House Amendment No. 2 was adopted.

Rep. Farmer moved that **Senate Bill No. 1062**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins,

Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 2462** -- Taxes, Litigation - As introduced, allows Sevier County, upon the adoption of a resolution by a two-thirds majority vote of the county legislative body, to assess a privilege tax on litigation in court cases in an amount not to exceed \$100 per case to be used exclusively for the construction of a building to house legal proceedings and offices directly involved with the court system, and to renovate the county courthouse. - Amends TCA Title 67, Chapter 4, Part 6. by *Farmer, *Carr . (SB2719 by *Swann)

On motion, House Bill No. 2462 was made to conform with **Senate Bill No. 2719**; the Senate Bill was substituted for the House Bill.

Rep. Farmer moved that **Senate Bill No. 2719** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes.....	1
Present and not voting.....	1

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McDaniel, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Wirgau, Zachary, Madame Speaker Harwell -- 83

Representatives voting no were: Holt -- 1

Representatives present and not voting were: Windle -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on **Senate Bill No. 2719** and have this statement entered in the Journal: Reps. Alexander, Daniel and Powell.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2248** -- Professions and Occupations - As introduced, enacts the "Fresh Start Act" to require that denials and refusals to renew occupational and professional licenses based on a criminal conviction must only occur when the offense relates to the offender's ability to perform the occupation or profession. - Amends TCA Title 62, Chapter 76, Part 1 and Title 63, Chapter 1. by *Faison, *McCormick, *Parkinson, *Harwell, *Howell, *Marsh, *Ragan, *Williams, *Keisling, *Casada, *Zachary, *Shaw, *Holsclaw, *Johnson, *Gilmore, *White D, *Staples, *Akbari, *Hardaway, *Ramsey. (SB2465 by *Roberts, *Harris, *Haile, *Kelsey, *Stevens, *Bowling, *Jackson, *Norris, *Green)

On motion, House Bill No. 2248 was made to conform with **Senate Bill No. 2465**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 2465 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matheny moved the previous question, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 2465** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 90

A motion to reconsider was tabled.

CLERK'S NOTE TO JOURNAL

Speaker Harwell announced that **House Bill No. 2023** was reset for the Regular Calendar on April 12, 2018.

REGULAR CALENDAR, CONTINUED

House Bill No. 2139 -- Tickets, Admission - As introduced, reduces the number of days certain nonprofit corporations have to refund amounts paid to purchase a ticket for a performance or event upon cancellation of the performance or event due to a natural disaster from 180 days to 120 days after the cancellation of a performance or event. - Amends TCA Title 39; Title 47 and Title 67. by *Hill T. (*SB1640 by *Yager)

On motion, House Bill No. 2139 was made to conform with **Senate Bill No. 1640**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 1640 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. T. Hill moved that **Senate Bill No. 1640** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

A motion to reconsider was tabled.

House Bill No. 2589 -- State Employees - As introduced, requires commissioner of human resources to establish initial period of probation for employees in preferred service of the state that does not exceed six months rather than a period that is not less than one year. - Amends TCA Title 8, Chapter 30. by *Hill T. (*SB2443 by *Niceley, *Yager)

On motion, House Bill No. 2589 was made to conform with **Senate Bill No. 2443**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 2443 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. T. Hill moved that **Senate Bill No. 2443** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

A motion to reconsider was tabled.

***House Bill No. 1543** -- Bail, Bail Bonds - As introduced, increases training requirements for bounty hunters, including additional training for bounty hunters who will carry a firearm or less than lethal device; requires a bounty hunter to be accompanied by a law enforcement officer in possession of a search or arrest warrant in order to enter private property without permission. - Amends TCA Title 40, Chapter 11. by *Lamberth, *Johnson, *Reedy. (SB1602 by *Yager)

Rep. Lamberth moved that House Bill No. 1543 be passed on third and final consideration.

Rep. Curcio moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1543 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-318, is amended by deleting the language "or another state" from subdivision (c)(3).

SECTION 2. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subdivision (c)(4) and substituting instead the following:

(4) A pocket card, with identifying photo, certifying that the bounty hunter has completed the training required by § 40-11-401.

SECTION 3. Tennessee Code Annotated, Section 40-11-318, is amended by deleting the following language from subsection (f):

If the bounty hunter is from a state other than Tennessee, proof that the bounty hunter

has completed an equivalent criminal history background check in the person's home state within the last year shall be provided to the appropriate law enforcement agency of the political subdivision where the taking will occur.

SECTION 4. Tennessee Code Annotated, Section 40-11-318, is amended by deleting subsection (g) and substituting instead the following:

(g) No bounty hunter shall wear, carry, or display any uniform, badge, shield, card, or other item with any printing, insignia, or emblem that purports to indicate or copies or resembles an item that indicates that such bounty hunter is an employee, officer, or agent of any local, state, or federal government or any political subdivision of any local, state, or federal government.

SECTION 5. Tennessee Code Annotated, Section 40-11-318, is amended by adding the following as a new section:

(h) Nothing in this section gives a bounty hunter legal defense or privilege to violate any traffic laws or criminal statutes.

SECTION 6. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Lamberth moved that **House Bill No. 1543**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

A motion to reconsider was tabled.

***Senate Joint Resolution No. 492** -- General Assembly, Statement of Intent or Position - Urges FCC, major cellular providers, and FBI to work with correctional officers to address issue of contraband cell phones in prisons. by *Yager, *Jackson, *Bailey, *Kelsey, *Bowling, *Watson.

Rep. Lamberth moved that the house concur in **Senate Joint Resolution No. 492**, which motion prevailed by the following vote:

Ayes	89
Noes.....	0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

A motion to reconsider was tabled.

***House Bill No. 1917** -- Labor - As introduced, extends repeal date for the Go Build Tennessee Program, from July 1, 2019, to July 1, 2024; deletes restriction that funds collected from contractor licensing revenue be used only to fund career and technical education programs and other certified and nationally accredited programs. - Amends TCA Title 4, Chapter 41 and Title 62, Chapter 6, Part 1. by *Williams, *Camper, *Powell, *Sparks, *Johnson, *Cooper. (SB1922 by *Johnson, *Bowling, *Ketron, *Yarbro)

Rep. Casada moved that **House Bill No. 1917** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 1821** -- Health, Dept. of - As introduced, removes requirement that state-operated medical laboratories and public health laboratory personnel who work at medical laboratories operated by the state be regulated under the Tennessee Medical Laboratory Act. - Amends TCA Section 49-6-5001; Section 68-1-901; Title 68, Chapter 12; Title 68, Chapter 29; Title 68, Chapter 3, Part 1 and Title 68, Chapter 32. by *Hawk, *Casada, *Williams. (SB2245 by *Norris, *Watson)

Rep. Casada moved that **House Bill No. 1821** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 2068** -- Drug and Alcohol Rehabilitation - As introduced, creates criminal offenses relating to the marketing of alcohol and drug treatment services. - Amends TCA Title 4; Title 33; Title 39; Title 63 and Title 68. by *Love, *Curcio. (SB2005 by *Tate, *Watson)

Rep. Love moved that House Bill No. 2068 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2068 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 10, is amended by adding the following as a new part:

33-10-601.

(a) The general assembly recognizes that consumers of substance abuse treatment have disabling conditions and that consumers and their families are vulnerable and at risk of being easily victimized by fraudulent marketing practices that adversely impact the delivery of health care. To protect the health, safety, and welfare of this vulnerable population, a service provider of alcohol and drug services, as defined in § 33-2-402; an operator of an alcohol and drug treatment facility (ADTF); or a third party who provides any form of advertising or marketing services to a service provider of alcohol and drug services or an operator of an ADTF shall not engage in any of the following marketing practices:

(1) Making a false or misleading statement or providing false or misleading information about the provider's or operator's or third party's products, goods, services, or geographical locations in its marketing, advertising materials, or media or on its website;

(2) Including on its website false information or electronic links, coding, or activation that provides false information or that surreptitiously directs the reader to another website;

(3) Soliciting, receiving, or making an attempt to solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engaging or making an attempt to engage in a split-fee arrangement in return for a referral or an acceptance or acknowledgement of treatment from a service provider of alcohol and drug services or ADTF; or

(4) Entering into a contract with a marketing provider who agrees to generate referrals or leads for the placement of patients with a service provider of alcohol and drug services or in an ADTF through a call center or a web-based presence, unless the service provider of alcohol and drug

services or the operator of the ADF discloses to the prospective patient, so that the patient can make an informed healthcare decision, clear and concise language and instructions that allow the prospective patient to easily determine whether the marketing provider represents specific service providers or recovery residences that pay a fee to the marketing provider, and the identity of such service providers of alcohol and drug services or ADF.

(b)

(1) In addition to any other punishment authorized by law, a person or entity that knowingly violates subdivision (a)(1), (a)(2), or (a)(4) commits a Class A misdemeanor.

(2) In addition to any other punishment authorized by law, a person or entity that knowingly violates subdivision (a)(3) has violated the prohibition on patient brokering and commits a Class E felony.

33-10-602. It is an offense for any person to knowingly make a materially false or misleading statement or provide false or misleading information about the identity, products, goods, services, or geographical location of a service provider of alcohol and drug services, as defined in § 33-2-402, in marketing, advertising materials, or other media or on a website with the intent to induce another person to seek treatment with that service provider. A person who violates this section commits a Class A misdemeanor.

33-10-603.

(a) It is an offense for any healthcare provider licensed under title 63 or healthcare facility licensed under title 68, with respect to alcohol and drug services, as defined in § 33-2-402, to knowingly:

(1) Offer or pay a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, to induce the referral of a patient or patronage to or from a licensee or facility, under chapter 2, part 4 of this title;

(2) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for referring a patient or patronage to or from a licensee or facility, under chapter 2, part 4 of this title;

(3) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form whatsoever, in return for the acceptance or acknowledgment of treatment from a licensee or facility, under chapter 2, part 4 of this title; or

(4) Aid, abet, advise, or otherwise participate in the conduct prohibited under subdivision (a)(1), (a)(2), or (a)(3).

(b)

(1) Any healthcare provider licensed under title 63 or healthcare facility licensed under title 68, with respect to alcohol and drug services, that violates this section commits a Class A misdemeanor.

(2) Any healthcare provider licensed under title 63 or healthcare facility licensed under title 68, with respect to alcohol and drug services, that violates this section, where the prohibited conduct involves ten (10) or more patients but fewer than twenty (20) patients, commits a Class E felony.

(3) Any healthcare provider licensed under title 63 or healthcare facility licensed under title 68, with respect to alcohol and drug services, that violates this section, where the prohibited conduct involves twenty (20) or more patients, commits a Class D felony.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Love moved that **House Bill No. 2068**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 90

A motion to reconsider was tabled.

***House Bill No. 2120** -- Economic and Community Development - As introduced, authorizes a pilot program to terminate on January 1, 2034, that allows the department to make grants and loans to governmental entities for financing food desert relief enterprises in low-income, underserved areas; deposits the revenue generated by a certain percentage of the food sales tax rate levied on retail sales of sugar-sweetened beverages to a special fund for financing the grants and loans. - Amends TCA Title 4, Chapter 3; Title 67, Chapter 4 and Title 67, Chapter 6. by *Love, *Staples, *Gilmore, *Cooper. (SB2634 by *Norris, *Gardenhire, *Harper, *Yarbro)

On motion, House Bill No. 2120 was made to conform with **Senate Bill No. 2634**; the Senate Bill was substituted for the House Bill.

Rep. Love moved that Senate Bill No. 2634 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powell moved the previous question, which motion prevailed.

Rep. Love moved that **Senate Bill No. 2634** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	10
Present and not voting.....	3

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, DeBerry, Doss, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulse, Jernigan, Johnson, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Madame Speaker Harwell -- 74

Representatives voting no were: Boyd, Daniel, Goins, Holt, Matheny, Matlock, Powers, Reedy, Sherrell, Zachary -- 10

Representatives present and not voting were: Curcio, Dunn, Rudd -- 3

A motion to reconsider was tabled.

***House Bill No. 1914** -- Utilities, Utility Districts - As introduced, authorizes a municipality to fund chambers of commerce and economic and community organizations with revenue from a natural gas utility system owned by the municipality. - Amends TCA Title 7, Chapter 34. by *Gant, *Doss, *Lamberth. (SB1894 by *Gresham)

Rep. Gant moved that **House Bill No. 1914** be reset for the Regular Calendar on April 11, 2018, which motion prevailed.

***House Bill No. 2319** -- Motor Vehicles - As introduced, affords municipal law enforcement agency 30 days, instead of 20 days, from receipt of notice suspending municipality's authorization to enforce rules of the road, to provide proof to department of safety that agency was in compliance with rules of the department. - Amends TCA Title 55. by *Gant, *Lollar. (SB2388 by *Gresham)

Rep. Gant moved that **House Bill No. 2319** be reset for the Regular Calendar on April 11, 2018, which motion prevailed.

***House Bill No. 2039** -- Bail, Bail Bonds - As introduced, prohibits bounty hunters from using any variation of the words "agent" or "officer" on any uniform, badge, shield, card, or other item the bounty hunter wears, carries, or displays. - Amends TCA Title 39 and Title 40, Chapter 11. by *DeBerry, *Lamberth. (SB2006 by *Tate)

Rep. DeBerry moved that House Bill No. 2039 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2039 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-318, is amended by adding the following new language to subsection (g):

Any time a bounty hunter is engaged in the functions of bounty hunting, the bounty hunter shall wear clothing that clearly identifies the person as a bounty hunter and prominently displays the words "bounty hunter".

SECTION 2. This act shall take effect at 12:01 a.m. on July 1, 2018, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. DeBerry moved that **House Bill No. 2039**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 88
Noes..... 1

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powers, Ragan,

Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

Representatives voting no were: Staples -- 1

A motion to reconsider was tabled.

***House Bill No. 1733** -- Lottery, Corporation - As introduced, requires the board of directors of the Tennessee education lottery corporation, no later than January 1, 2019, to establish a mechanism whereby a lottery ticket winner of a drawing-style game, with winnings of \$1 million dollars or more, may donate 10 percent of the total prize money to a 501(c)(3) or 501(c)(19) nonprofit organization. - Amends TCA Title 4, Chapter 51, Part 1. by *Sexton C, *Hardaway. (SB2681 by *Bailey)

Further consideration of House Bill No. 1733, previously considered on March 22, 2018, at which time it was reset for today's Calendar.

Rep. C. Sexton moved that **House Bill No. 1733** be reset for the Regular Calendar on April 11, 2018, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1625 -- Sunset Laws - As introduced, extends the department of intellectual and developmental disabilities for four years to June 30, 2022; requires the department to report back to the committee concerning the findings in its 2017 performance audit report. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Faison, *Ragan, *Hardaway. (*SB1531 by *Bell, *Gardenhire)

Rep. Faison moved that the House non-concur in Senate Amendment No. 1 to **House Bill No. 1625**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1717 -- Alcoholic Beverages - As introduced, restructures delivery service license fees to be based on number of delivery drivers; allows delivery service to have employees or independent contractors. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4. by *Lamberth, *Powell, *Jernigan. (*SB1597 by *Yager)

Senate Amendment No. 1

AMEND House Bill No. 1717 by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-224, is amended by deleting subsection (a) and substituting instead the following:

(a)

(1) There is created a delivery service license to be issued by the commission to any delivery service that delivers or facilitates delivery of prepared food from restaurants or items from a retail store to customers as part of the delivery service's business and seeks to deliver sealed packages of alcoholic beverages or beer or both sold by any retailer licensed under title 57, chapter 3, or an off-premises retail permittee licensed under § 57-5-103 as part of such delivery service. If a delivery service licensed under this section is delivering alcoholic beverages or beer purchased from a retailer in accordance with this subsection (a), the delivery service shall not deliver the alcoholic beverages or beer to a customer who resides or is located at the time of the delivery:

(A) More than fifty (50) miles from the licensed premises of the retailer at which the alcoholic beverages or beer were purchased; or

(B) In any county other than the county in which such retailer is located or a county contiguous to such county.

(2) A delivery service includes, for purposes of this title 57, a technology services company that provides software or an application for connecting customers, retailers, or restaurants to a delivery driver. A delivery service does not include, and no license is required under this title to operate, a technology services company that does not employ or contract with delivery drivers but rather provides software or an application that connects retail licensees with consumers for the delivery of alcoholic beverages or beer from the retailer pursuant to § 57-3-406(j) or a company that ships wine pursuant to § 57-3-217. This section does not apply to a "motor carrier" or "freight forwarder" as those terms are defined in 49 U.S.C. § 13102, or to an "air carrier" as that term is defined in 49 U.S.C. § 40102.

AND FURTHER AMEND by deleting subsection (d) in Section 6 and substituting instead the following:

(d) With respect to the delivery of alcoholic beverages, beer, or both pursuant to this chapter, a delivery service company may be subject to fines or the suspension or revocation of its license from the commission based on the conduct of a delivery driver. A retailer is not subject to a fine or the suspension or revocation of its license based on conduct of a delivery service driver after the driver picks up alcoholic beverages or beer from the retailer.

AND FURTHER AMEND by deleting Section 7 and substituting instead the following:

SECTION 7. Tennessee Code Annotated, Section 57-3-217(a), is amended by adding the following language to the end of the subsection:

Applicants for a direct shipper's license shall submit to the commission a copy of the federal basic permit and a permit for the manufacturing, bottling, or rectification of wine from the state where such wine is produced.

SECTION 8. This act shall take effect on July 1, 2018, the public welfare requiring it.

Rep. Lamberth moved that the House concur in Senate Amendment No. 1 to **House Bill No. 1717**, which motion prevailed by the following vote:

Ayes	72
Noes.....	11
Present and not voting.....	4

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Jernigan, Johnson, Kane, Kumar, Lamberth, Littleton, Lynn, Marsh, Matheny, McCormick, McDaniel, Moon, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Staples, Terry, Thompson, Tillis, Travis, Turner, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary -- 72

Representatives voting no were: Butt, Dunn, Hill M., Hill T., Holt, Hulse, Keisling, Lollar, Matlock, Moody, Van Huss -- 11

Representatives present and not voting were: Powers, Rudd, Smith, Sparks -- 4

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2053** -- Health Care - As introduced, requires the department of health to make available information on Down syndrome to certain persons; provides liability protection to certain physicians. - Amends TCA Title 63 and Title 68. by *Staples, *Whitson, *Thompson, *Jernigan, *Clemmons, *Hazlewood, *Sexton C, *Love, *Byrd, *Lynn, *Powell, *Sherrell, *Hardaway. (SB2008 by *Massey, *Crowe, *Dickerson, *Briggs, *Bell, *Watson, *Yarbro)

Senate Amendment No. 1

AMEND House Bill No. 2053 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, is amended by adding the following language as a new part:

68-1-2601. This part shall be known and may be cited as the "Down Syndrome Information Act of 2018."

68-1-2602. As used in this part:

(1) "Department" means the department of health; and

(2) "Down syndrome" means a chromosomal condition caused by an error in cell division that results in the presence of an extra whole or partial copy of chromosome 21.

68-1-2603.

(a) The department shall, within existing resources, make available up-to-date, evidence-based information about Down syndrome. The online information must include:

(1) Information regarding first-call programs;

(2) Links to organizations providing information and resources related to Down syndrome; and

(3) Other educational and support programs.

(b) The department may make available this information on the department's website.

(c) The intent of this section is to make information available to individuals who render prenatal care, postnatal care, or genetic counseling to any person who has received a prenatal or postnatal diagnosis of Down syndrome.

68-1-2604.

(a) A healthcare provider who renders prenatal or postnatal care or a genetic counselor who renders genetic counseling may, upon receipt of a positive test result from a test for Down syndrome, provide the expectant or new parent with the information provided by the department under this part.

(b) Nothing in this section creates a duty of care or other legal obligation beyond the requirements set forth in this section.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

Rep. Staples moved that the House concur in Senate Amendment No. 1 to **House Bill No. 2053**, which motion prevailed by the following vote:

Ayes	86
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 86

Representatives present and not voting were: Rudd -- 1

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2337** -- Taxes, Real Property - As introduced, requires that a motion to claim excess tax sale proceeds be served upon "all interested persons" rather than "the parties"; revises other provisions governing notice and publication of delinquent tax sales. - Amends TCA Title 67, Chapter 5. by *Powell, *Sargent. (SB2495 by *Johnson, *Jackson)

Senate Amendment No. 2

AMEND House Bill No. 2337 by adding the language "for cause" after the language "one (1) time" in Section 5(f).

Rep. Powell moved that the House concur in Senate Amendment No. 2 to **House Bill No. 2337**, which motion prevailed by the following vote:

Ayes	89
Noes.....	0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell,

Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Casada moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 864 out of order, which motion prevailed.

Senate Joint Resolution No. 864 -- General Assembly, Recess & Reconvene - Recesses Senate at the close of business on April 5, 2018, and reconvenes on April 11, 2018, at 8:30 a.m. by *Norris.

On motion of Rep. Casada, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow all bills that were calendared but not transmitted by the 6 p.m. deadline to be heard in committees next week, which motion prevailed.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow **House Bills Nos. 2718, 2721, 2722 and 2719** to be heard in the Local Government Committee next week, which motion prevailed.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended in order to allow **House Joint Resolutions Nos. 1021 and 1022** to be heard in the Business and Utilities Committee next week, which motion prevailed.

CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. Jones was excused from Session on Thursday, April 5, 2018.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

3894

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House Bill No. 41 Rep. Kumar as prime sponsor.

House Bill No. 571 Reps. J. Sexton, Daniel, D. White, Terry, Doss and Matheny as prime sponsors.

House Bill No. 1034 Rep. Kumar as prime sponsor.

House Bill No. 1993 Reps. Johnson, Moon, Zachary, Carr, Matlock, Shaw, Hawk, McCormick, Tillis, Marsh, K. Brooks, M. White, Howell, Fitzhugh, Halford, Powers and Hicks as prime sponsors.

House Bill No. 2015 Rep. Sargent as prime sponsor.

House Bill No. 2129 Rep. Terry as prime sponsor.

House Bill No. 2130 Rep. Lamberth as prime sponsor.

House Bill No. 2264 Rep. Kumar as prime sponsor.

House Bill No. 2440 Rep. C. Sexton as prime sponsor.

SPONSORS REMOVED

On Motion, Rep. K. Brooks was removed as sponsor of **House Bill No. 971**.

ENROLLED BILLS

April 5, 2018

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1473, 1605, 1671, 1701, 1870, 1888, 2006, 2153, 2174, 2189, 2331, 2423 and 2636; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 5, 2018

The Speaker announced that she had signed the following: Senate Bills Nos. 1386, 1596, 1618, 1690, 1697, 1736, 1796, 1921 and 1927.

TAMMY LETZLER, Chief Clerk

SIGNED

April 5, 2018

The Speaker announced that she had signed the following: Senate Bills Nos. 2002, 2064, 2066, 2068, 2174, 2210, 2243, 2248, 2255, 2260, 2306, 2461 and 2524.

3895

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TAMMY LETZLER, Chief Clerk

**ENGROSSED BILLS
April 5, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2000;

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 5, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bill No. 2681;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 5, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1914, 1936, 2023, 2549, 2583, 2638 and 2704; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 5, 2018**

The Speaker announced that she had signed the following: Senate Bills Nos. 1914, 1936, 2023, 2549, 2583, 2638 and 2704.

TAMMY LETZLER, Chief Clerk

**MESSAGE FROM THE SENATE
April 5, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1686, 1707, 1816, 1966, 1976, 2002, 2029, 2304, 2444 and 2524; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 5, 2018**

The Speaker announced that she had signed the following: House Bills Nos. 1473, 1605, 1671, 1701, 1870, 1888, 2006, 2153, 2174, 2189, 2331, 2423 and 2636.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 5, 2018

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No. 286; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

SIGNED

April 5, 2018

The Speaker announced that she had signed the following: House Resolution No. 286.

GREG GLASS, Chief Engrossing Clerk

ENGROSSED BILLS

April 5, 2018

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 1543, 1728, 1731, 2039, 2068, 2230 and 2278; also House Joint Resolutions Nos. 879, 954, 1065, 1066, 1067, 1068, 1069 and 1070.

GREG GLASS, Chief Engrossing Clerk

ENROLLED BILLS

April 5, 2018

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1717, 2053 and 2337; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 5, 2018

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1557, 1729, 1975, 2000, 2021, 2339, 2438, 2681 and 2706; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 5, 2018

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 875, 904, 910, 934, 984, 986, 987, 988, 989, 990, 991, 992, 993 and 995; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk
MESSAGE FROM THE SENATE
April 5, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 270, 900, 2458 and 2501; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 270 -- Motor Vehicles, Titling and Registration - As introduced, exempts active, volunteer firefighters and rescue squad members from payment of the regular registration fee at the time of renewal for any license plate issued to the volunteer firefighter or rescue squad member. - Amends TCA Title 55, Chapter 4. by *Pody, *Watson. (*HB268 by *Sherrell, *Terry, *Powers, *Sparks, *Whitson, *Weaver, *Hulsey, *Howell, *Matheny, *Curcio, *Swann, *Crawford, *Lollar, *McDaniel, *VanHuss, *Reedy, *Kane, *Goins, *Hawk, *Matlock, *Calfee, *Zachary, *Kumar, *Tillis, *Sexton C, *Brooks K, *Gilmore, *Hill M, *Ragan, *Coley, *Akbari, *Carter, *Casada, *Wirgau, *Daniel, *Carr, *Littleton, *Parkinson, *Butt, *Hazlewood, *Alexander, *Williams, *Pitts, *DeBerry, *Hardaway, *Eldridge, *Gant, *Rudd, *Staples, *Sexton J, *Holsclaw, *Johnson, *Hill T, *Pody, *Dunn, *Forgety, *Faison, *White D, *Sanderson, *Camper, *Hicks, *Marsh, *Keisling, *Moody, *Smith, *Holt, *Jernigan, *Mitchell, *Thompson, *Halford, *Doss, *Ramsey, *Brooks H, *Byrd, *Vaughan, *Harwell, *Moon, *Lamberth, *Rogers, *Farmer, *Gravitt, *Windle)

***Senate Bill No. 900** -- Judges and Chancellors - As introduced, extends, by five days, the deadline by which the board of judicial conduct must transmit reports on the number and disposition of complaints opened to the general assembly. - Amends TCA Title 4; Title 16 and Title 17. by *Bell. (HB1052 by *Matlock)

***Senate Bill No. 2458** -- Professions and Occupations - As introduced, establishes apprenticeship programs for professions regulated by entities administratively attached to the division of professional regulatory boards. - Amends TCA Title 62, Chapter 76, Part 2. by *Roberts. (HB2537 by *Howell)

Senate Bill No. 2501 -- Public Contracts - As introduced, specifies the processes by which a contract for construction of buildings or improvements, the expenditure for which is estimated, projected, or budgeted to be \$1 million or more, may be awarded. - Amends TCA Section 12-4-107. by *Ketron. (*HB1763 by *Marsh)

MESSAGE FROM THE SENATE
April 5, 2018

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2370; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 5, 2018

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2235; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 5, 2018

MADAM SPEAKER: I am directed to return to the House, House Bill No. 1020; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 5, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 492, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 860 and 864; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

SIGNED

April 5, 2018

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 492, 785, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 860 and 864.

TAMMY LETZLER, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 87

Representatives present were Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, 3899

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THURSDAY, APRIL 5, 2018 -- SIXTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Johnson, Kane, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 87

RECESS

On motion of Rep. Casada, the House stood in recess until 5:00 p.m., Monday, April 9, 2018.